Part IV – Representations and Instructions

Section M
Evaluation Factors for Award
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(a) Conduct of acquisition.

(1) This acquisition will be conducted pursuant to the Federal Acquisition Regulation (FAR), Part 15 entitled, Contracting by Negotiation; Department of Energy Acquisition Regulation (DEAR), Part 915 entitled, Contracting by Negotiation; and the provisions of this solicitation.

(2) DOE has established a Source Evaluation Board (SEB) to evaluate the proposals submitted by Offerors in response to this solicitation. Proposal evaluation is an assessment of the proposal and the Offeror’s ability to perform the prospective contract successfully. Proposals will be evaluated solely on the factors specified in the solicitation by assessing the relative significant strengths, strengths, weaknesses, significant weaknesses, deficiencies, and cost and performance risks of each Offeror’s proposal against the evaluation factors in this Section M to determine the Offeror’s ability to perform the contract.

(3) The designated source selection authority will select an Offeror for contract award whose proposal represents the best value to the Government. The source selection authority’s decision will be based on a comparative assessment of proposals against all evaluation factors in the solicitation. The source selection authority may reject all proposals received in response to this solicitation, if doing so is in the best interest of the Government.

(b) Deficiency in proposal.

(1) A deficiency, as defined at FAR 15.001 entitled, Definitions, is a material failure of a proposal to meet a Government requirement or a combination of significant weaknesses in a proposal that increases the risk of unsuccessful contract performance to an unacceptable level. No award will be made to an Offeror whose proposal is determined to be deficient.

(2) A proposal will be eliminated from further consideration before complete evaluation if the proposal is deficient as to be unacceptable on its face. A proposal will be deemed unacceptable if it does not represent a reasonable initial effort to address itself to the material requirements of the solicitation, or if it does not substantially and materially comply with the proposal preparation instructions of this solicitation. Cursory responses or responses which merely repeat or reformulate the Performance Work Statement will not be considered responsive to the requirements of the solicitation. In the event that a proposal is rejected, a notice will be sent to the Offeror stating the reason(s) that the proposal will not be considered for further evaluation under this solicitation.

(c) Responsibility. In accordance with FAR Subpart 9.1 entitled, Responsible Prospective Contractors, and DEAR Subpart 909.1 entitled, Responsible Prospective Contractors, the Procuring Contracting Officer (PCO) is required to make an affirmative determination of whether a prospective contractor is responsible. The PCO may, if necessary, conduct a preaward survey of the prospective contractor as part of the considerations in determining responsibility. In the absence of information clearly indicating that the otherwise successful Offeror is responsible, the PCO will make a determination of nonresponsibility and no award will be made to that Offeror; unless, the apparent successful Offeror is a small business and the Small Business Administration issues a Certificate of Competency in accordance with FAR Part 19.6 entitled, Certificates of Competency and Determinations of Responsibility.

(d) Award without discussions. In accordance with paragraph (f)(4) of the provision at
FAR 52.215-1, *Instructions to Offerors – Competitive Acquisition*, the Government intends to evaluate proposals and award a contract without conducting discussions with Offerors. Therefore, the Offeror’s initial proposal shall contain the Offeror’s best terms from a cost or price and technical standpoint. The Government, however, reserves the right to conduct discussions if the PCO later determines them to be necessary and may limit the competitive range for purposes of efficiency.

(e) Organizational conflicts of interest. The Offeror is required by the Section K provision entitled, *Organizational Conflicts of Interest Disclosure*, to provide a statement of any past, present, or currently planned interests related to the performance of the work and a statement that an actual or potential conflict of interest or unfair competitive advantage does or does not exist in connection with the contract resulting from the solicitation. No award will be made to the apparent successful Offeror, if the PCO determines that a conflict of interest exists that cannot be avoided, neutralized, or mitigated.

(f) Facility Clearance. The Offeror is required by the provision at DEAR 952.204-73 entitled, *Facility Clearance*, to submit information related to its foreign interests. National Defense Authorization Act for Fiscal Year 1993, Public Law 102-484 § 836 prohibits the award of a DOE contract under a national security program to an entity controlled by a foreign government, unless a waiver is granted by the Secretary of Energy.


(a) DOE will evaluate the Offeror’s technical understanding, quality, and effectiveness of the Offeror’s proposed technical approach to accomplishing the PWS stated in the solicitation with emphasis in the areas of Utilities and Infrastructure, Safeguards and Security, Emergencies and First Responders, Information Technology and Management, Integration, and Interface Management.

(b) DOE will evaluate the Offeror’s understanding and approach to the following Contractor Human Resource Management activities:

(1) Management and administration of pension and benefit plans as described in Section H.5; and

(2) Management of a large workforce, including Union represented and non-represented labor.

(c) DOE will evaluate the Offeror’s approach to managing Hanford Site Information Technology in order to achieve shrinking the Information Technology (IT) footprint (e.g., closing data centers) and creating a more agile system (e.g. advocates adaptive planning, evolutionary development, early delivery, and continuous improvement, and encourages rapid and flexible response to change). DOE will also evaluate the Offeror’s approach as it relates to effectiveness, efficiency and risk management.

(d) Subcontracting Approach and Commitment to Small Business Utilization. DOE will evaluate the Offeror’s approach to meet the requirement to subcontract at least 40 percent of the Total Contract Value (exclusive of the maximum value of the IDIQ CLINs) in a timely and effective manner. DOE will evaluate the Offeror’s approach to meet the requirement to subcontract at least 25 percent of the Total Contract Value (exclusive of the maximum value of the IDIQ CLINs) to small businesses in a timely and effective manner. DOE will evaluate the complexity and variety of the work SBs are proposed to perform. Further, DOE will evaluate the Offeror’s process for identifying meaningful work (as defined in Section H clause entitled, *Subcontracted Work*) scope that can be performance-based and performed by small business
subcontractors. DOE will evaluate the Offeror’s subcontracting approach including its
decision process regarding use of subcontractors instead of performing the work itself and
approach for managing subcontractors.

The Government will evaluate the extent of the Offeror’s commitment to utilize small business
concerns and to support their development. The Government will evaluate the Offeror’s small
business outreach, assistance, participation in the Mentor Protégé program, counseling, market
research, and relevant purchasing procedures.

M.3 Evaluation Factor – Key Personnel and Organization

(a) Key Personnel. DOE will evaluate the four proposed key personnel required in Section L.13
(a), and up to five other proposed key personnel as allowed by Section L.13 (a) along with the
Offeror’s rationale for the non-required proposed key personnel and why they are essential to
the successful performance of the contract. DOE will evaluate the proposed key personnel
authority level and the extent to which each key personnel position will have access to
corporate resources. DOE’s evaluation of the Program Manager will be the most important
aspect of the evaluation of key personnel.

For key personnel, there will be one evaluation of suitability and qualifications per proposal
that will be evaluated using both the oral and written information, as detailed below.

Failure of the Offeror to propose the four required key personnel positions or to confirm
the availability of all key personnel as being assigned to the contract full-time and
physically located on the Hanford Site or within the local area will adversely affect the
Government’s evaluation of the proposal and may make the proposal ineligible for award.

(b) Resume. The individuals proposed as key personnel will be evaluated on the degree to which
they are qualified and suitable for the proposed position in relation to the work for which they
are proposed to perform and areas of responsibility. The qualifications and suitability of the
individual key personnel will be evaluated on the following:

(1) Experience. The key personnel will be evaluated on their relevant experience in
performing work similar in scope, size, and complexity to that required for their proposed
positions (i.e., scope – type of work; size – dollar value and contract duration; and
complexity – performance challenges and leadership roles).

(2) Demonstrated performance. The key personnel will be evaluated on their record of past
success, including leadership and other accomplishments, in performing work of similar
scope, size, and complexity to that required for their proposed positions, as demonstrated
through the resume information and reference checks.

(3) Education. The key personnel will be evaluated on their education, training,
certifications, and licenses.

(4) DOE may contact references of key personnel and previous employers to verify the
accuracy of the information contained in the resume and to further assess the
qualifications and suitability of proposed key personnel.

(c) Failure of the Offeror to provide a letter of commitment for each key personnel will
adversely affect the Government’s evaluation of the proposal.

(d) Oral presentation – Key personnel. The Offeror’s key personnel, as a team, will be evaluated
on their problem-solving ability as demonstrated during their preparation for and presentation
of the response to the problem-solving exercise provided by DOE. The key personnel will be
evaluated on their demonstrated leadership, teamwork, communications, and problem-solving
capabilities as a team. The Program Manager will be evaluated individually also on his/her
leadership and effective utilization of the key personnel team during the problem-solving
exercise(s).

(c) Oral interview – Program Manager. The Offeror’s Program Manager will be evaluated for
qualifications and suitability, including leadership capability for the proposed position as
demonstrated during the oral interview.

(f) Organization.

(1) Organization chart. DOE will evaluate the Offeror’s proposed organization depicting the
major functional areas that are essential for the management and performance of work,
including contract transition. DOE will evaluate the Offeror’s organization levels
depicted on the Offeror’s organization chart (e.g., working and reporting lines, divisional
relationships, management layers, chain of command) and how they align and correlate to
the proposed rationale for the organizational structure, and the proposed roles,
responsibilities, and lines of authority.

(2) Rationale for organizational structure. DOE will evaluate the Offeror’s rationale for the
proposed organizational structure in relation to the work to be performed and how the
organizational structure will contribute to the successful accomplishment of the work in
accordance with the proposed technical approach. DOE will evaluate how the
organizational structure correlates to the PWS, the PWS work breakdown structure, and
the Offeror’s approach to execute the work. If Critical Subcontractors or other
performing entities are proposed, DOE will evaluate how their performance will be
integrated with the Offeror’s organizational structure.

(3) Roles, responsibilities and lines of authority. DOE will evaluate the clarity and
effectiveness of the proposed roles, responsibilities, and lines of authority for all PWS
elements and for the major functional areas identified on the organizational chart,
including lines of authority between the Offeror’s organizational elements or specific
individuals (including proposed key personnel), as applicable, and its critical
subcontractors and any other performing entities.

(4) Communication and interface. DOE will evaluate the clarity and effectiveness of the
Offeror’s approach to communication and interface with internal organizations, critical
subcontractors, other performing entities, and outside entities including DOE, other DOE
contractors and subcontractors, regulatory agencies, state and local governments, the
public, and other entities.

(5) Offeror entity. If the Offeror is a limited liability company (LLC), joint venture or other
similar entity, DOE will evaluate how the Offeror will operate its multi-member and/or
shared ownership to include who will employ the Offeror’s workforce, e.g., Offeror,
parent, or team member companies, and how that workforce will be managed.

(6) Critical Subcontractors. DOE will evaluate the proposed use of critical subcontractors
that will perform a portion of the work, including the rationale between subcontracting
and self-performance, and the approach for integrating and controlling each performing
entity within the overall work to be performed.

(7) Corporate governance. DOE will evaluate the clarity and effectiveness of the Offeror’s
corporate governance approach to provide oversight of performance to ensure successful
performance of the contract, and to provide monitoring of performance and resolution of
issues, including visibility and communication with DOE.

(g) Workforce recruitment and retention. The Offeror will be evaluated on its approach to ensuring an adequate workforce is available with the appropriate skills and qualifications necessary to safely and effectively accomplish the work over the term of the contract. DOE will evaluate the Offeror’s approaches to recruit, train, and maintain its workforce, including fluctuations in workload; as well as the source of the Offeror’s personnel.


(a) Offeror. The Offeror, to include all members of a teaming arrangement, as defined in FAR 9.601(1), will be evaluated on its recent and relevant experience performing work similar in scope, size, and complexity to the requirements of the PWS. Similar scope, size, and complexity are defined as follows: scope – type of work (e.g., work as identified in the PWS); size – dollar value (including total value and approximate average annual value) and contract period of performance; and complexity – performance challenges and risk (e.g. rigorous safety and quality assurance requirements, providing support to a complex nuclear and regulatory environment, management and integration as a prime contractor at a large Government site with multiple government contractors, management of a multi-disciplined workforce that includes unions performing various aspects of a contract, volatile Government priorities and technical requirements, budget fluctuations, and integration and coordination with stakeholders). DOE will evaluate relevant experience information for contracts that are currently being performed and/or for contracts that were completed within the last three years from the solicitation issuance date.

(b) Critical Subcontractor(s). The Offeror’s proposed critical subcontractor(s) as defined in Section L.8 (a) (2) will be evaluated on their recent and relevant experience, in performing work similar in scope, size, and complexity to that proposed to be performed by that critical subcontractor.

(c) Newly formed entity and predecessor companies. If the Offeror is a newly formed entity with no relevant experience for its team members as defined in FAR 9.601(1), the evaluation of relevant experience will be based on the experience of its parent organization(s). Relevant experience resulting from mergers and acquisitions and/or predecessor companies may also be considered.

(d) Work to be performed. The Government will evaluate the Offeror’s discussion of the relevancy of the experience provided to the proposed acquisition and to the work that is proposed to be performed by each individual entity. Specific cross references shall be made between the applicable sections of the PWS, the work to be performed by each entity, and the experience of the entity performing the work. DOE will evaluate the Offeror and all members of a teaming arrangement, as defined in FAR 9.601(1), in accordance with the work each is proposed to perform and the entire PWS, as the Offeror will be responsible for performance of the entire PWS. Critical subcontractors will be evaluated in relation to the work they are proposed to perform.

(e) Work Performance Matrix. Failure of the Offeror to provide consistency between the completed Attachment L-3, Past Performance and Experience Reference Information Forms and Attachment L-7, the completed Work Performance Matrix, may adversely affect the Government’s evaluation of the proposal.

(a) Offeror. The Offeror, to include all members of a teaming arrangement, as defined in FAR 9.601(1), will be evaluated on the recency, relevancy, and favorability of the past performance information obtained for the Offeror performing work similar in scope, size, and complexity to the requirements of the PWS to assess the Offeror’s potential success in performing the work required by the contract. Similar scope, size, and complexity are defined as follows: scope – type of work (e.g., work as identified in the PWS); size – dollar value (including total value and approximate average annual value) and contract period of performance; and complexity – performance challenges and risk (e.g. rigorous safety and quality assurance requirements, providing support to a complex nuclear and regulatory environments, management and integration as a prime contractor at a large Government site with multiple Government contractors, management of a multi-disciplined workforce that includes unions performing various aspects of a contract, volatile government priorities and technical requirements, budget fluctuations, and integration and coordination with stakeholders). Additionally, the recency and relevancy of the information, source of the information, context of the data, and general trends in contractor performance will be considered in the evaluation. DOE will evaluate past performance information for contracts that are currently being performed and/or for contracts that were completed within the last three years from the original solicitation issuance date. The higher the degree of relevance of the work described to the PWS, the greater the consideration that may be given. Additionally, more recent relevant past performance information may also be given greater consideration. All members of an Offeror’s teaming arrangement, as defined in FAR 9.601(1), on a contract, will be evaluated the same as its partner(s), as each entity is considered to be responsible for overall performance of the on-going or prior contract. The Government will not apportion past performance differently among parent companies that have teamed for the purposes of this solicitation; all parent companies will be equally credited (positively and negatively) for past performance.

(b) Critical Subcontractors. The Offeror’s proposed critical subcontractors as defined in Section L.8 (a) (2) will be evaluated on the recency, relevancy and favorability of the past performance information obtained for the critical subcontractor performing work similar in scope, size, and complexity to that proposed to be performed by that critical subcontractor.

(c) Newly formed entity and predecessor companies. If the Offeror is a newly formed entity with no record of relevant past performance for its team members as defined in FAR 9.601(1), the evaluation of past performance will be based on the past performance of its parent organization(s). Past performance information resulting from mergers and acquisitions and/or predecessor companies may also be considered.

(d) Work Performance Matrix. Failure of the Offeror to provide consistency between the completed Attachment L-3, Past Performance and Experience Reference Information Forms and Attachment L-7, the completed Work Performance Matrix may adversely affect the Government’s evaluation of the proposal. DOE will evaluate the Offeror and all members of a teaming arrangement, as defined in FAR 9.601(1), in accordance with the work each is proposed to perform and the entire PWS, as the Offeror will be responsible for performance of the entire PWS. Critical subcontractors will be evaluated in relation to the work they are proposed to perform.

(e) No record of past performance. If the Offeror or critical subcontractor(s) do not have a record of relevant past performance or if information is not available, the Offeror or critical subcontractor(s) will be evaluated neither favorably nor unfavorably.
Sources of past performance information/close at hand information. The Government will consider past performance information provided by the Offeror and other available information. The Government may contact any or all of the references provided by the Offeror and will consider such information obtained in its evaluation. The Government may also consider past performance information from sources other than those provided by the Offeror, such as commercial and government clients, government records, regulatory agencies, government databases such as the Government’s Past Performance Information Retrieval System (PPIRS), and may also consider close at hand information. The Government will only evaluate past performance information for work it considers at least somewhat relevant to the acquisition in terms of similar in scope, size, and complexity, as defined above in paragraph (a), and within the timeframe specified, as defined above in paragraph (a).

Performance information. The Offeror will be evaluated on challenges and problems encountered during performance of the provided reference contracts, the actions taken by the Offeror to address these matters, and the effect actions had on the performance of the contract. In addition, any recognized accomplishments the Offeror has received on the reference contracts will be considered. The Offeror will also be evaluated on safety statistics (OSHA Days Away, Restricted or Transferred (DART) and Total Recordable Case (TRC)) and DOE enforcement actions and/or worker safety and health, nuclear safety, and/or classified information security incidents or notifications posted to the DOE Office of Enterprise Assessments website (https://energy.gov/ea/information-center/enforcement-infocenter) and corrective actions taken to resolve those problems.

Terminated contracts. Contracts of the Offeror, to include all members of a teaming arrangement, as defined in FAR 9.601(1), and critical subcontractors that were terminated, including the reasons herefore, over the preceding three years from the solicitation issuance date will be considered in the evaluation. The Government will only evaluate past performance information on work determined to be at least somewhat relevant to the acquisition in terms of similar in scope, size, and complexity, as defined above in paragraph (a).

List of DOE contracts. The Government will consider the information provided per Attachment L-6, List of DOE Contracts, of all DOE prime contracts (including NNSA) currently being performed and/or for contracts that were completed within the last three years from the original solicitation issuance date. The Government will only evaluate past performance information on work determined to be at least somewhat relevant to the acquisition in terms of similar in scope, size, and complexity, as defined above in paragraph (a).

**M.6 Evaluation Factor – Cost and Fee**

The Cost and Fee Proposal will not be adjectively rated or point scored, but it will be considered in the overall evaluation of proposals in determining the best value to the Government.

DOE will evaluate the Offeror’s cost proposal for realism. The evaluation of cost realism includes an analysis of specific elements of the Offeror’s proposed cost to determine whether the proposed estimated cost elements are realistic for the work to be performed; reflect a clear understanding of the requirements; and are consistent with the methods of performance and materials described in the Offeror’s Technical Proposal. Based on its review, DOE will determine a probable cost to the Government as prescribed by FAR 15.404-1(d).

The total evaluated price will be calculated by combining the probable cost for the cost type CLINs, total available award fee proposed, and the DOE provided amounts. The total evaluated price will be used in
determining the best value to the Government. The UBS Reimbursement from OHCs (offset CLIN 0006) will not be part of the evaluated price.

**CLIN 0001 (Cost Reimbursable, no fee):** DOE will perform a cost realism evaluation of each Offeror’s proposed cost to determine the probable cost.

**CLINs 0002, 1002, 0003, 1003, and 2003 (Cost Reimbursable, no fee):** DOE will evaluate each Offeror’s cost proposal to ensure that it includes the DOE provided amounts.

**CLINs 0004, 1004, 2004, 0005, 1005, 2005, 0006, 1006, and 2006 (Cost Plus Award Fee):** DOE will perform a cost realism evaluation of each Offeror’s proposed cost and fee to determine the probable cost.

**CLINs 0007, 1007, 2007, 0008, 1008, and 2008 (Indefinite Delivery Indefinite Quantity):** DOE will evaluate each Offeror’s cost proposal to ensure that it includes the DOE provided amounts.

DOE will also perform a technical analysis of the Cost and Fee Proposal and consider this analysis in the evaluation of Volume II, Technical and Management Proposal, and as part of the evaluation of Volume III, Cost and Fee Proposal. As part of the technical analysis of the Cost and Fee Proposal, DOE will evaluate traceability between proposal volumes, errors and omissions in the Volume III proposal, and other problem areas in the Volume III proposal.

An unreasonable, unrealistic, or incomplete Cost and Fee Proposal may be evidence of the Offeror’s lack of, or poor understanding of, the requirements of the PWS and thus may adversely affect the rating under the appropriate criterion of the Offeror’s Volume II Technical and Management Proposal. Inconsistencies between the Cost and Fee Proposal, and the Technical and Management Proposal may indicate a poor understanding of the PWS requirements and may negatively impact an Offeror’s evaluation and appropriate criterion rating of the Offeror’s Volume II Technical and Management Proposal. Should the Government determine that inconsistencies exist or that the Offeror appears to lack an understanding of the requirements; such inconsistency or apparent lack of understanding may result in an adjustment to the Offeror’s proposed costs and/or may result in adverse evaluations of the Technical Approach and key personnel and Organization factors. In addition, as stated above, a proposal may be deemed unacceptable if it does not substantially and materially comply with the proposal preparation instructions.

The Offeror has the responsibility to fully document its cost proposal and provide clear traceability to the PWS elements. DOE may adjust an Offeror’s proposed cost as part of its cost realism analysis if the Offeror does not adequately provide this documentation and traceability.

Offerors that propose a Total Available Fee outside the fee range specified in Section L Provision entitled, *Proposal Preparation Instructions – Volume III, Cost and Fee Proposal*, will be deemed ineligible for award.

**M.7 DOE-M-2011 Relative Importance of Evaluation Factors (Oct 2015)**

(a) The relative importance of the evaluation factors for the Technical and Management Proposal (Volume II) are below.

(1) Technical Approach

(2) Key Personnel and Organization

(3) Experience

(4) Past Performance.
Technical Approach is more important than Key Personnel and Organization; Technical Approach and Key Personnel and Organization are significantly more important than Experience and Past Performance. Experience and Past Performance are equal in importance.

The evaluation factors for the Technical and Management Proposal (Volume II), when combined, are significantly more important than the total evaluated price (Volume III). Each evaluation factor applicable to this solicitation is identified and described in this and other provisions of this Section M. The descriptive elements of each evaluation factor will be considered collectively in arriving at the evaluated rating of the Offeror’s proposal for that evaluation factor. Areas within an evaluation factor are not sub-factors and will not be individually rated, but will be considered in the overall evaluation for that particular evaluation factor.

**M.8 FAR 52.217-5, Evaluation of Options (Jul 1990)**

Except when it is determined in accordance with FAR 17.206(b) entitled, *Evaluation*, (evaluation not in the Government’s best interests) the Government will evaluate Offerors for award purposes by adding the total price for all options (except for the option allowed by the Section I clause, FAR 52.217-8 entitled, *Option to Extend Services*) to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the option(s).

**M.9 DOE-M-2012 Basis for Award (Oct 2015)**

The Government intends to award one contract to the responsible Offeror whose proposal is determined to be the best value to the Government. Selection of the best value to the Government will be achieved through a process of evaluating each Offeror’s proposal against the evaluation factors described above. The evaluation factors for the Technical and Management Proposal will be adjectivally rated. The Cost/Price evaluation factor will not be rated, however the evaluated price will be used in determining the “best value” to the Government. The Government is more concerned with obtaining a superior Technical and Management Proposal than making an award at the lowest evaluated price. However, the Government will not make an award at a price premium it considers disproportionate to the benefits associated with the evaluated superiority of one Offeror’s Technical and Management Proposal over another. Thus, to the extent that Offerors’ Technical and Management Proposals are evaluated as close or similar in merit, the evaluated price is more likely to be a determining factor in selection for award.
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